

SCHEDULE 1

Regulation 35

PART 1

Information and documents to be available in respect of persons working in regulated services

1. Proof of identity including a recent photograph.
2. Where required for the purposes of an exempted question in accordance with section 113A(2)(b) of the Police Act 1997 ^{F1}, a copy of a valid ^{F2} criminal record certificate issued under section 113A of that Act together with, after the appointed day and where applicable, the information mentioned in section 30A(3) of the Safeguarding Vulnerable Groups Act 2006 (provision of barring information on request).

F1 1997 c. 50.

F2 For the meaning of “valid”, see Part 2 of this Schedule.

3. Where required for the purposes of an exempted question asked for a prescribed purpose under section 113B(2)(b) of the Police Act 1997, a copy of a valid ^{F3} enhanced criminal record certificate issued under section 113B of that Act together with, where applicable, suitability information relating to children (within the meaning of section 113BA(2) of that Act) or suitability information relating to vulnerable adults (within the meaning of section 113BB(2) of that Act).

F3 For the meaning of “valid”, see Part 2 of this Schedule.

4. Two written references, including a reference from the last employer, if any.
5. Where a person has previously worked in a position whose duties involved work with children or vulnerable adults, so far as reasonably practicable verification of the reason why the employment or position ended.
6. Documentary evidence of any relevant qualification.
7. Where relevant, documentary evidence of registration with Social Care Wales.
8. A full employment history, together with a satisfactory written explanation of any gaps in employment.
9. Evidence of satisfactory linguistic ability for the purposes of providing care and support to those individuals for whom the worker is to provide care and support.
10. Details of registration with or membership of any professional body.

PART 2

Interpretation of Part 1

11. For the purposes of paragraphs 2 and 3 of Part 1 of this Schedule—
 - (a) if the person to whom the certificate relates is not registered with the DBS update service, a certificate is only valid if—
 - (i) it has been issued in response to an application by the service provider in accordance with regulation 34(3) or (6), and

Changes to legislation: There are currently no known outstanding effects for the The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017. (See end of Document for details)

- (ii) no more than three years have elapsed since the certificate was issued;
- (b) if the person to whom the certificate relates is registered with the DBS update service, the certificate is valid regardless of when it was issued.

SCHEDULE 2

Regulation 59

Records to be kept in respect of regulated services

PART 1

Records to be kept in respect of all regulated services

1. In respect of each individual, records of—
 - (a) all relevant assessments;
 - (b) personal plans;
 - (c) reviews of personal plans;
 - (d) care and support plans;
 - (e) reviews of care and support plans;
 - (f) care provided, including daily records or records of specific care interventions;
 - (g) correspondence, reports and records in relation to additional support provided by education, health and other allied services.
2. A record of any charges by the service provider to individuals for the provision of care and support and any additional services.
3. A record of all medicines kept in the service for each individual and the date and time on which they were administered to the individual.
4. A record of all money or other valuables deposited by the individual for safekeeping or received on the individual's behalf, which must include a record of—
 - (a) the date on which the money or valuables were deposited or received;
 - (b) the date on which any money or valuables were—
 - (i) returned to the individual, or
 - (ii) used, at the request of the individual, on their behalf;
 - (c) where applicable, the purpose for which the money or valuables were used;
 - (d) the written acknowledgment of the return of the money or valuables.
5. A record of the following events that occur in the service—
 - (a) any serious accident [^{F4}or injury] which is significantly detrimental to the well-being of an individual;
 - (b) the outbreak of infectious disease in the service;
 - (c) any theft or burglary;
 - (d) any safeguarding referral made in respect of an individual;
 - (e) falls and consequent treatment provided to an individual;
 - (f) incidence of pressure [^{F5}damage] and of consequent treatment provided to an individual;

- (g) date and circumstances of any measures of control, restraint or discipline used on an individual.

F4	Words in Sch. 2 para. 5(a) substituted (1.4.2019) by The Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2019 (S.I. 2019/757) , regs. 1(2), 16(a)
F5	Word in Sch. 2 para. 5(f) substituted (1.4.2019) by The Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2019 (S.I. 2019/757) , regs. 1(2), 16(b)

6. A record of every fire practice, drill or test of fire equipment (including fire alarm equipment) conducted in the service and of any action taken to remedy defects in the fire equipment.

7. A record of all complaints made by individuals or their representatives or by persons working at the service about the operation of the service, and the action taken by the service provider in respect of any such complaint.

8. A record of all persons working at the service, which must include the following matters—

- (a) the person's full name, address, date of birth, qualifications and experience;
- (b) a copy of the person's birth certificate and passport (if any);
- (c) a copy of each reference obtained in respect of the person;
- (d) the dates on which the person commences and ceases to be so employed;
- (e) the position the person holds at the service, the work he or she performs and the number of hours for which he or she is employed each week;
- (f) records of disciplinary action and any other records in relation to the person's employment;
- (g) a record of the date of a DBS certificate and whether there was any action taken as a result of the content of the certificate.

9. A copy of the duty roster of persons working at the service, and a record of whether the roster was actually worked as intended.

PART 2

Additional records to be kept in respect of care home services, secure accommodation services and residential family centre services

10. A record of any furniture brought by an individual into the room occupied by him or her.

11. A record of any of the following events that occur in the service—

- (a) any fire;
- (b) unexplained or unauthorised absence;
- (c) death of an individual.

12. A record of all visitors to the service, including the names of visitors and the persons they are visiting.

SCHEDULE 3

Regulation 60

Notifications by the service provider

PART 1

Notifications to the service regulator in respect of all services

1. Any revision to the statement of purpose, 28 days prior to the revised statement of purpose coming into effect.

2. Service provider (individual or organisation) changes their name.

[^{F6}3. Where, on or after 1 April 2020, the service provider is a body corporate, any change in the—

- (a) directors,
- (b) trustees, or
- (c) members of the managing committee,

of the body corporate.

F6 Sch. 3 paras. 3, 3A substituted for Sch. 3 para. 3 (1.4.2020) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 and Regulated Services \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/389\)](#), regs. 1(2), **9(a)**

3A. Where, on or after 1 April 2020, the service provider is an unincorporated body, any change in the persons who are concerned in the management and control of the body.]

F6 Sch. 3 paras. 3, 3A substituted for Sch. 3 para. 3 (1.4.2020) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 and Regulated Services \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/389\)](#), regs. 1(2), **9(a)**

4. Where the service provider is an individual, the appointment of a trustee in bankruptcy in relation to that individual.

5. Where the service provider is a body corporate or partnership, the appointment of a receiver, manager, liquidator or provisional liquidator in relation to that [^{F7}body corporate] or partnership.

F7 Words in Sch. 3 para. 5 substituted (1.4.2020) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 and Regulated Services \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/389\)](#), regs. 1(2), **9(b)**

6. Where the service provider is a partnership, death of one of the partners.

7. Where the service provider is a partnership, any change in the partners.

8. Expected absence of the responsible individual for 28 days or more, 7 days prior to commencement of the absence.

9. The unexpected absence of the responsible individual, no later than 7 days after the commencement of the absence.

10. Unexpected absence of the responsible individual for 28 days or more, where no prior notification has been given, immediately on the expiry of 28 days following the commencement of the absence.

11. Return from absence of the responsible individual.

12. The responsible individual ceases, or proposes to cease, being the responsible individual for the service.

13. Any abuse or allegation of abuse in relation to an individual that involves the service provider and/or a member of staff [^{F8}and/or a volunteer].

F8 Words in Sch. 3 para. 13 added (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(a)**

14. Service provider, responsible individual or appointed manager convicted of a criminal offence.

15. Any allegation of misconduct by a member of staff.

16. Any occurrence of [^{F9}category 3 or 4 pressure damage or unstageable pressure damage].

F9 Words in Sch. 3 para. 16 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(b)**

17. Serious accident [^{F10}or injury to] an individual.

F10 Words in Sch. 3 para. 17 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(c)**

18. The outbreak of any infectious disease.

19. Any incident reported to the police.

20. Any events which prevent, or could prevent, the provider from continuing to provide the service safely.

21. Where accommodation is provided, the death of an individual and the circumstances.

22. Any request to a supervisory body in relation to the application of the deprivation of liberty safeguards (DOLS).

23. The premises are, or are proposed to be, significantly altered or extended.

24. Additional premises are, or are proposed to be acquired.

25. Any proposal to change the address of the principal office, 28 days prior to the change taking place.

PART 2

Additional notifications to the service regulator
where care and support is provided to children

26. Any referral to the DBS pursuant to the Safeguarding Vulnerable Groups Act 2006.

Changes to legislation: There are currently no known outstanding effects for the The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017. (See end of Document for details)

27. Where the service provider, responsible individual or appointed manager is charged with any offence specified in the Schedule to the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009 ^{F11}, notice of the offence charged and the place of charge.

F11 [S.I. 2009/37.](#)

28. Instigation and subsequent outcome of any child protection enquiry involving a child accommodated by the service.

29. Any allegation that a child accommodated by the service has committed a serious offence.

30. [^{F12}Any incident of child sexual or criminal exploitation or suspected child sexual or criminal exploitation].

F12 Words in Sch. 3 para. 30 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(d)**

31. Any incident where an accommodated child goes missing or has an unexplained absence.

PART 3

Notifications to the placing authority where a care home service is provided to children

32. Any abuse or allegation of abuse in relation to a child accommodated by the service that involves the provider or a member of staff.

33. Serious accident [^{F13}or injury to] a child accommodated by the service.

F13 Words in Sch. 3 para. 33 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(e)**

34. Any occurrence of [^{F14}category 3 or 4 pressure damage or unstageable pressure damage.]

F14 Words in Sch. 3 para. 34 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(f)**

35. The outbreak of any infectious disease.

36. Any incident reported to the police.

37. The death of a child accommodated by the service and the circumstances.

38. Any referral to the DBS pursuant to the Safeguarding Vulnerable Groups Act 2006.

39. An allegation that a child accommodated by the service has committed a serious offence.

40. Any incident where an accommodated child goes missing or has an unexplained absence.

41. Instigation and subsequent outcome of any child protection enquiry involving a child accommodated by the service.

42. [^{F15}Any incident of child sexual or criminal exploitation or suspected child sexual or criminal exploitation].

F15 Words in Sch. 3 para. 42 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(g)**

PART 4

Notifications to the local authority in whose area the home is situated where a care home service is provided to children

43. Death of a child and the circumstances.

44. [^{F16}Any incident of child sexual or criminal exploitation or suspected child sexual or criminal exploitation].

F16 Words in Sch. 3 para. 44 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(g)**

45. Any incident where an accommodated child goes missing or has an unexplained absence.

PART 5

Notifications to the appropriate police officer where a care home service is provided to children

46. [^{F17}Any incident of child sexual or criminal exploitation or suspected child sexual or criminal exploitation].

F17 Words in Sch. 3 para. 46 substituted (1.4.2019) by [The Regulated Services \(Service Providers and Responsible Individuals\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/757\)](#), regs. 1(2), **17(g)**

PART 6

Notifications to the health board in whose area the home is situated where a care home service is provided to children

47. The outbreak of any infectious disease.

48. The death of a child and the circumstances.

SCHEDULE 4

Regulation 84

Notifications by the responsible individual

- 1.** The appointment of a manager (see regulation 7(1)).
- 2.** The expected absence of the appointed manager for 28 days or more, 7 days prior to the commencement of the absence.

Changes to legislation: There are currently no known outstanding effects for the The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017. (See end of Document for details)

3. The unexpected absence of the appointed manager, no later than 7 days after the commencement of the absence.
4. The unexpected absence of appointed manager for 28 days or more where no prior notification has been given, immediately on the expiry of 28 days following the commencement of the absence.
5. Return from absence of appointed manager.
6. Interim arrangements where the manager is absent for longer than 28 days.
7. Someone other than the appointed manager is proposing to manage or is managing the service.
8. The appointed manager ceases, or proposes to cease, managing the service.

Changes to legislation:

There are currently no known outstanding effects for the The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017.